

SENATE BILL No. 251

By Committee on Ways and Means

5-18

1 AN ACT concerning education; relating to the instruction and financing
2 thereof; making and concerning appropriations for the fiscal years
3 ending June 30, 2018, and June 30, 2019, for the department of
4 education; creating the Kansas school equity and enhancement act;
5 amending K.S.A. 12-17,115 and 72-8803 and K.S.A. 2016 Supp. 10-
6 1116a, 12-1677, 12-1770a, 12-1775a, 12-1776a, 72-978, 72-1046b, 72-
7 1398, 72-1414, 72-1923, 72-3712, 72-3715, 72-5333b, 72-64b01, 72-
8 64c03, 72-64c05, 72-6622, 72-6624, 72-6625, 72-6757, 72-67,115, 72-
9 7535, 72-8187, 72-8190, 72-8230, 72-8233, 72-8236, 72-8249, 72-
10 8250, 72-8251, 72-8302, 72-8309, 72-8316, 72-8415b, 72-8801, 72-
11 8804, 72-8908, 72-9509, 72-9609, 72-99a02, 72-99a02, as amended by
12 section 92 of this act, 72-99a04, 74-4939a, 74-8925, 74-99b43, 75-
13 2319, 79-201x, 79-213, 79-2001 and 79-2925b and repealing the
14 existing sections; also repealing K.S.A. 2016 Supp. 46-1133, 72-6482
15 and 75-2319, as amended by section 46 of Senate Substitute for
16 Substitute for House Bill No. 2052.

17

18 *Be it enacted by the Legislature of the State of Kansas:*

19 Section 1.

20 DEPARTMENT OF EDUCATION

21 (a) There is appropriated for the above agency from the state general
22 fund for the fiscal year ending June 30, 2018, the following:

23 Operating expenditures (including official
24 hospitality) (652-00-1000-0053).....\$12,515,606

25 *Provided*, That any unencumbered balance in the operating expenditures
26 (including official hospitality) account in excess of \$100 as of June 30,
27 2017, is hereby reappropriated for fiscal year 2018.

28 Special education services
29 aid (652-00-1000-0700).....\$435,980,455

30 *Provided*, That any unencumbered balance in the special education
31 services aid account in excess of \$100 as of June 30, 2017, is hereby
32 reappropriated for fiscal year 2018: *Provided further*; That expenditures
33 shall not be made from the special education services aid account for the
34 provision of instruction for any homebound or hospitalized child unless
35 the categorization of such child as exceptional is conjoined with the
36 categorization of the child within one or more of the other categories of

1 such documentation to the state board no later than January 14 of the
2 school year.

3 New Sec. 25. (a) There is hereby established in every school district
4 an at-risk education fund, which shall consist of all moneys deposited
5 therein or transferred thereto according to law. The expenses of a school
6 district directly attributable to providing at-risk student assistance or
7 programs shall be paid from the at-risk education fund.

8 (b) Any balance remaining in the at-risk education fund at the end of
9 the budget year shall be carried forward into the at-risk education fund for
10 succeeding budget years. Such fund shall not be subject to the provisions
11 of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing
12 the budget of such school district, the amounts credited to and the amount
13 on hand in the at-risk education fund, and the amount expended therefrom
14 shall be included in the annual budget for the information of the residents
15 of the school district. Interest earned on the investment of moneys in any
16 such fund shall be credited to that fund.

17 (c) Expenditures from the at-risk education fund of a school district
18 shall only be made for the following purposes:

19 (1) At-risk educational programs ~~approved by the state board~~

based on best practices identified pursuant to subsection (d)

20 (2) personnel providing educational services in conjunction with such
21 programs;

or

22 (3) services contracted for by the school district to provide at-risk
23 educational programs; ~~or~~

based on best practices identified pursuant to subsection (d).

24 ~~(4) assistance or programs provided for students who are identified as
25 at-risk pursuant to policies and procedures adopted by the state board.~~

26 (d) Each year the board of education of each school district shall
27 prepare and submit to the state board a report on the ~~at-risk student~~
28 ~~assistance or programs provided by the school district~~. Such report shall
29 include the number of ~~at-risk~~ students ~~who were served or provided~~
30 assistance, the type of service provided, the research upon which the
31 school district relied in determining that a need for service or assistance
32 existed, the results of providing such service or assistance and any other
33 information required by the state board.

On or before July 1, 2018, the state board shall identify and approve evidence-based best practices for at-risk programs and instruction of students receiving at-risk program services. The state board shall review and update such best practices as part of its five-year accreditation system review process.
(e)

(f)

34 (e) In order to achieve uniform reporting of the number of students
35 provided service or assistance by school districts in at-risk student
36 programs, school districts shall report the number of students served or
37 assisted in the manner required by the state board.

for students identified as at-risk

identified as at-risk

38 New Sec. 26. (a) There is hereby established in every school district a
39 preschool-aged at-risk education fund, which shall consist of all moneys
40 deposited therein or transferred thereto according to law. The expenses of a
41 school district directly attributable to providing preschool-aged at-risk
42 assistance or programs shall be paid from the preschool-aged at-risk
43 education fund.

- 1 (c) the maintenance of student activities that are reimbursed;
- 2 (d) expenditures from any lawfully authorized fund of a school
- 3 district other than its general fund;
- 4 (e) the provision of educational services for students residing at the
- 5 Flint Hills job corps center, students housed at a psychiatric residential
- 6 treatment facility or students confined in a juvenile detention facility for
- 7 which the school district is reimbursed by a grant of state moneys as
- 8 provided in K.S.A. 72-8187, and amendments thereto; and
- 9 (f) programs financed, in part or in whole, by federal funds that may
- 10 be expended although not included in the budget of the school district,
- 11 excluding funds received under the provisions of title I of public law 874,
- 12 but not including in such exclusion amounts received for assistance in
- 13 cases of major disaster and amounts received under the low-rent housing
- 14 program, to the extent of the federal funds to be provided.

15 New Sec. 41. If in any school year a school district expends an
 16 amount for operating expenses that exceeds its general fund budget, the
 17 state board shall determine the excess and deduct the same from amounts
 18 of state foundation aid payable to the school district during the next
 19 succeeding school year.

20 New Sec. 42. (a) In order to accomplish the mission for Kansas
 21 education, the state board shall design and adopt a school district
 22 accreditation system based upon improvement in performance that ~~reflects~~
 23 the educational goal set forth in K.S.A. 2016 Supp. 72-1127(c), and
 24 amendments thereto, and is measurable. On or before January 15, 2018,
 25 and each January 15 thereafter, the state board shall prepare and submit a
 26 report on the school district accreditation system to the governor and the
 27 legislature.

28 (b) The state board shall establish curriculum standards that reflect
 29 high academic standards for the core academic areas of mathematics,
 30 science, reading, writing and social studies. The curriculum standards shall
 31 be reviewed at least every seven years. Nothing in this subsection shall be
 32 construed in any manner so as to impinge upon any school district's
 33 authority to determine its own curriculum.

34 (c) The state board shall provide for statewide assessments in the core
 35 academic areas of mathematics, science, reading, writing and social
 36 studies. The board shall ensure compatibility between the statewide
 37 assessments and the curriculum standards established pursuant to
 38 subsection (b). Such assessments shall be administered at three grade
 39 levels, as determined by the state board. The state board shall determine
 40 performance levels on the statewide assessments, the achievement of
 41 which represents high academic standards in the academic area at the
 42 grade level to which the assessment applies. The state board should specify
 43 high academic standards both for individual performance and school

equals or exceeds

1 performance on the assessments.

2 (d) Each school year, on such date as specified by the state board,
3 each school district shall submit the Kansas education system accreditation
4 report to the state board in such form and manner as prescribed by the state
5 board.

6 (e) Whenever the state board determines that a school district has
7 failed either to meet the accreditation requirements established by rules
8 and regulations or standards adopted by the state board or provide
9 curriculum based on state standards and courses required by state law, the
10 state board shall so notify the school district. Such notice shall specify the
11 accreditation requirements that the school district has failed to meet and
12 the curriculum that it has failed to provide. Upon receipt of such notice,
13 the board of education of such school district is encouraged to reallocate
14 the resources of the school district to remedy all deficiencies identified by
15 the state board.

16 (f) Each school in every school district shall establish a school site
17 council composed of the principal and representatives of teachers and
18 other school personnel, parents of students attending the school, the
19 business community and other community groups. School site councils
20 shall be responsible for providing advice and counsel in evaluating state,
21 school district, and school site performance goals and objectives and in
22 determining the methods that should be employed at the school site to
23 meet these goals and objectives. Site councils may make recommendations
24 and proposals to the school board regarding budgetary items and school
25 district matters, including, but not limited to, identifying and implementing
26 the best practices for developing efficient and effective administrative and
27 management functions. Site councils also may help school boards analyze
28 the unique environment of schools, enhance the efficiency and maximize
29 limited resources, including outsourcing arrangements and cooperative
30 opportunities as a means to address limited budgets.

31 New Sec. 43. (a) On or before January 15 of each year, the state
32 department of education shall prepare and submit reports on school district
33 funding for each school district to the governor and the legislature.

34 (b) Each report shall contain the information described in subsection
35 (c) for the school district in terms of actual dollar amounts for the
36 immediately preceding school year, actual dollar amounts for the current
37 school year and budgeted dollar amounts for the immediately succeeding
38 school year.

39 (c) Each report shall contain the following information for the school
40 district:

41 (1) Full-time equivalent enrollment;

42 (2) total general and supplemental general funds, including a showing
43 of funding provided by federal sources, state sources and local sources,

1 and total funds per student;
 2 (3) total capital outlay funds, including a showing of such funding
 3 provided by federal sources, state sources and local sources, and capital
 4 outlay funds per student;
 5 (4) total bond and interest funds, including a showing of such funding
 6 provided by federal sources, state sources and local sources, and bond and
 7 interest funds per student;
 8 (5) total of all other funds not described in paragraphs (2), (3) and (4),
 9 excluding fund transfers, including a showing of such funding provided by
 10 federal sources, state sources and local sources, and total funds per
 11 student;

12 (6) general fund moneys attributable to the following:

- 13 (A) BASE aid;
- 14 (B) high enrollment weighting;
- 15 (C) low enrollment weighting;
- 16 (D) school facilities weighting;
- 17 (E) transportation weighting;
- 18 (F) at-risk student weighting;
- 19 (G) preschool-aged at-risk student weighting;
- 20 (H) high-density at-risk student weighting;
- 21 (I) career technical education weighting;
- 22 (J) special education and related services weighting;
- 23 (K) bilingual weighting;
- 24 (L) ancillary school facilities weighting;
- 25 (M) cost-of-living weighting;
- 26 (N) declining enrollment weighting; and
- 27 (O) virtual school state aid; and

28 (7) total expenditures ~~from each of the following funds:~~

- 29 (A) At-risk education fund,
- 30 (B) preschool-aged at-risk education fund,
- 31 (C) bilingual education fund,
- 32 (D) career and postsecondary education fund,
- 33 (E) special education fund,
- 34 (F) virtual school fund; and
- 35 ~~(G) special retirement contributions fund.~~

on the following:

programs and services

programs and services

programs and services

technical education programs and services

and related services

programs and services

36 New Sec. 44. (a) (1) On or before July 1, 2020, the legislature shall
 37 review the school year 2019-2020 BASE aid amount and shall evaluate
 38 whether such BASE aid amount is reasonably calculated to have all
 39 students meet or exceed the educational goal set forth in K.S.A. 2016
 40 Supp. 72-1127(c), and amendments thereto.

41 (2) Such evaluation shall be based on a successful school model that
 42 identifies successful school districts based on the percentage of at-risk
 43 students in such districts in relation to the following outcomes:

(8) total expenditures from the special retirement contributions fund.
 (d) The state board shall provide uniform guidelines for what constitutes total expenditures for the programs and services listed under subsection (c)(7).